

§ 1697.10

to satisfy debts owed to the Selective Service System when the debt is waived, found not owed to the Selective Service System, or when directed by an administrative or judicial order.

(b) The creditor agency will promptly return any amounts deducted by the Selective Service System to satisfy debts owed to the creditor agency when the debt is waived, found not owed, or when directed by an administrative or judicial order.

(c) Unless required by law, refunds under this subsection shall not bear interest.

§ 1697.10 Statute of Limitations.

If a debt has been outstanding for more than 10 years after the agency's right to collect the debt first accrued, the agency may not collect by salary offset unless facts material to the government's right to collect were not known and could not reasonably have been known by the official or officials who were charged with the responsibility for discovery and collection of such debts.

§ 1697.11 Non-waiver of rights.

An employee's involuntary payment of all or any part of a debt collected under these regulations will not be construed as a waiver of any rights that employee may have under 5 U.S.C. 5514 or any other provision of contract or law unless there are statutes or contract(s) to the contrary.

§ 1697.12 Interest, penalties, and administrative costs.

Charges may be assessed for interest, penalties, and administrative costs in accordance with the Federal Claims Collection Standards, 4 CFR 102.13

PART 1698—ADVISORY OPINIONS

Sec.

1698.1 Purpose.

1698.2 Requests for advisory opinions.

1698.3 Requests for additional information.

1698.4 Confidentiality of advisory opinions and requests for advisory opinions.

1698.5 Basis for advisory opinions.

1698.6 Issuance of advisory opinions.

1698.7 Reconsideration of advisory opinion.

1698.8 Effect of advisory opinions.

AUTHORITY: Military Selective Service Act, 50 U.S.C. 451 *et seq.*; E.O. 11623.

32 CFR Ch. XVI (7–1–08 Edition)

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§ 1698.1 Purpose.

The provisions of this part prescribe the procedures for requesting and processing requests for advisory opinions relative to a named individual's liability for registration under the Military Selective Service Act (MSSA), 50 U.S.C. App. 451 *et seq.*

§ 1698.2 Requests for advisory opinions.

(a) Any male born after December 31, 1959 who has attained 18 years of age may request an advisory opinion as to his liability to register under MSSA. A parent or guardian of such person who is unable to make a request for an advisory opinion may request an advisory opinion for him. Any Federal, state or municipal governmental agency may request an advisory opinion as to the liability of any male person born after December 31, 1959 who has attained 18 years of age to register under MSSA.

(b) Requests for advisory opinions shall be in writing and addressed to Director of Selective Service, ATTN: SIL, P.O. Box 94638, Palatine, IL 60094-4638. With respect to the person concerning whom an advisory opinion is requested, the following should be furnished: full name, address, date of birth, Social Security Account Number, basis for the opinion that the registration requirement is inapplicable to him, and, if applicable, basis for his assertion that his failure to register "... was not a knowing and willful failure to register."

[52 FR 24460, July 1, 1987, as amended at 65 FR 47670, Aug. 3, 2000]

§ 1698.3 Requests for additional information.

(a) The Director may request additional appropriate information from the requester for an advisory opinion.

(b) The Director will forward a copy of the request by a Federal, state or municipal governmental agency for an advisory opinion to the person to whom the request pertains and invite his comments on it.